IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1382 OF 1989

Namdeo Ganpat Khandagale through his
heirs Smt. Anusaya N. Khandagle and ors. ... Petitioners
Versus

Special Land Acquisition Officer and anr. ....Respondents

Mr. B.P. Abhale for the petitioners.
Mrs. M.P.Thakur, Assistant Government Pleader, for the respondents.

CORAM: **KSHITIJ R. VYAS, C.J.** &
DR. D.Y. CHANDRACHUD, J.

DATE: **APRIL 17, 2006**.

P.C.

The petitioners, who are the heirs of deceased Namdeo Ganpat Khandagle, are challenging the acquisition proceedings including Sections 4, 6 and 9 of the Land Acquisition Act and other notification, if any, issued in regard to the suit lands i.e. S.G. Nos. 10/5 admeasuring 1 hectare and 22 ares and S.G.No. 80/15 admeasuring 40 ares situate at Pimpalgaon, Siddhanath, Tal. Junnar,Dist. Pune.

2. This petition is of the year 1989 and has remained pending for all these years. Not only that but this Court on 13th April, 1989 granted *status quo* till further orders from this Court, which is operative

till date. We, therefore, on the last date asked the learned Assistant Government Pleader to inform us on the status of the matter.

3. Pursuant to the order dated 14th March, 2006, passed by this Court, the Special Land Acquisition Officer No. 19 (New), Pune, has filed the affidavit today. It is stated therein that the Special Land Acquisition Officer has passed the Award on 31st March, 1989. The Special Land Acquisition Officer No.12 (Old), Pune, awarded Rs. 29,024/- in respect of Gat No. 10/5 and Rs.9516/- in respect of Gat No. 80/15 (Part). In view of this factual position, nothing further is required to be done in this matter as petitioners can challenge the Award in accordance with law. We accordingly dispose of the petition with liberty to the petitioner to challenge the Award before the appropriate forum.

CHIEF JUSTICE

DR. D.Y. CHANDRACHUD, J.